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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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|-----------------|-------------|----------------------|---------------------|------------------|

10/689,690

10/22/2003

Dararith Un

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10/01/2009

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EXAMINER

SAMUEL, DEWANDA A

ART UNIT

PAPER NUMBER

2416

MAIL DATE

DELIVERY MODE

10/01/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Supplemental
Notice of Allowability**

Application No.

10/689,690

Examiner

DEWANDA SAMUEL

Applicant(s)

UN ET AL.

Art Unit

2416

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 24 April 2009.
2. ☒ The allowed claim(s) is/are 1-55.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date ____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

DETAILED ACTION

1. This communication is responsive to the communication filed on 04/24/2009.

Claims 1-55 are pending. A Supplement Action is being sent to correct the amendment made in claim 33.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Camacho on 07/13/2009.

The application has been amended as follows:

Claims

Claim 17 is amended and replaced with the following:

Claim 17. (Currently Amended) ~~One or more computer storage media having computer-executable instructions embodied thereon for performing a method of enhancing a data connection from a source to a destination network, A method for generating an enhanced data connection,~~ A method for generating an enhanced data connection, the method comprising:

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receiving at an at least one remote access server data associated with a modem-based data session established via at least one circuit-switched network communicating with at least one data network that facilitates asymmetric data routing; encapsulating at the at least one remote access server packets of the data to be sent in a tunneling protocol for delivery via one or more virtual point-to-point connections; communicating the tunneling-protocol-encapsulated data packets via at least one virtual point-to-point connection over at least one communications path traversing the at least one data network and operable to convey data-types that utilize a point-to-point connection, wherein the at least one communications path couples the at least one remote access server to at least one enhancement cluster based on a destination address associated with the tunneling-protocol-encapsulated data packets, and wherein the virtual point-to-point connection emulates a dedicated point-to-point connection path connecting the at least one remote access server to the at least one enhancement cluster; and receiving and processing the tunneling-protocol-encapsulated data packets in the at least one enhancement cluster to enhance the data connection.

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Claim 18 line 1 –media—is replaced with the word –method--

Claim 19 line 1 –media—is replaced with the word –method--

Claim 20 line 1 –media—is replaced with the word –method--

Claim 21 line 1 –media—is replaced with the word –method--

Claim 22 line 1 –media—is replaced with the word –method--

Claim 23 line 1 –media—is replaced with the word –method--

Claim 24 line 1 –media—is replaced with the word –method--

Claim 25 line 1 –media—is replaced with the word –method--

Claim 26 line 1 –media—is replaced with the word –method--

Claim 27 line 1 –media—is replaced with the word –method--

Claim 28 line 1 –media—is replaced with the word –method--

Claim 29 line 1 –media—is replaced with the word –method--

Claim 30 line 1 –media—is replaced with the word –method--

Claim 31 line 1 –media—is replaced with the word –method--

Claim 32 line 1 –media—is replaced with the word –method--

Claim 49 is amended and replaced with the following:

Claim 49. (Currently Amended) ~~One or more computer storage media having computer executable instructions embodied thereon for performing a method of enhancing a data connection from a source to a destination network, A method for generating an enhanced data connection,~~ the method comprising: receiving at an at least one remote access server data packets that form a part of a modem-based data

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session; encapsulating at the at least one remote access server the data packets to be sent in a tunneling protocol for delivery via one or more virtual point-to-point connections;

communicating the tunneling-protocol-encapsulated data packets via at least one virtual point-to-point connection over at least one communications path traversing an asymmetric data network and operable to convey data-types that utilize a point-to-point connection, wherein the at least one communications path couples the at least one remote access server to at least one enhancement cluster based on a destination address associated with the tunneling-protocol-encapsulated data packets, and wherein the virtual point-to-point connection emulates a dedicated point-to-point connection path connecting the at least one remote access server to the at least one enhancement cluster; and receiving and processing the tunneling-protocol-encapsulated data packets in the at least one enhancement cluster to enhance the data connection.

Claim 50 line 1 –media—is replaced with the word –method--

Claim 51 line 1 –media—is replaced with the word –method--

Claim 52 line 1 –media—is replaced with the word –method--

Claim 53 line 1 –media—is replaced with the word –method--

Claim 54 line 1 –media—is replaced with the word –method--

Claim 55 line 1 –media—is replaced with the word –method--

Allowable Subject Matter

3. The following is a statement of reasons for the indication of allowable subject matter: a destination network; Baldwin et al. (PG PUB 2003/10149746) discloses having an ensobox: an Internet service provider appliance that enable an operator thereof to offer a full range of Internet services. Baldwin et al. also discloses the subscribers dial into the access node over the public telephone network using a modem and standard dial-up networking software on their computer and when a subscriber dials the ensobox telephone number, the call is routed to one of the modem ports on the Remote Access Server. Baldwin further discloses that the ensobox provides dial-up access to the Internet and that the core node within the ensobox is the "middle man" between the Internet and the Public Switched Telephone Network. Baldwin further discloses PPP(point to point) sessions transmitting over serial lines. In addition, Baldwin discloses the ensobox processing data within PPP session from a PSTN to the Internet. Baldwin discloses having a PPP session within a network that comprise of a PSTN and the Internet . Araujo et al. (US Patent 6,118,785) discloses having a point-to-point protocol with a signaling channel and also having a enhanced PPP whereby transmitting data within a VC virtual circuit to ISP Remote Access Server and encapsulation for PP data packets sent between two L2TP endpoints. However, the prior art fails to anticipate or render obvious the following recited specific features in claim 1 and similar claims 17,33, 41 and 49: "an input interface that receives data associated with a modem-based data session established via at least one circuit-

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switched network communicating with at least one asymmetric-routing data network that is capable of facilitating a transfer over the at least one asymmetric-routing network of data packets that are encapsulated in a tunneling-protocol and that are associated with the modem-based data session and operable to send using the tunneling protocol for delivery via one or more virtual point-to-point connections based on a destination address associated with the tunneling-protocol-encapsulated data packets; at least one enhancement cluster for receiving and processing the tunneling-protocol-encapsulated data packets that enhances a connection from a source to a destination network; and at least one virtual point-to-point connection for communicating the tunneling-protocol-encapsulated data packets over at least one communications path traversing the at least one asymmetric-routing data network and operable to convey data-types that utilize a point-to-point connection, wherein the at least one communications path couples the input interface to the at least one enhancement cluster based on the destination address, and wherein the at least one virtual point-to-point connection emulates a dedicated point-to-point connection path connecting the input interface to the at least one enhancement cluster.”

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Prior Art

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Verma et al. (US Patent 6,614,809)

Valencia (US Patent 6,487,598)

Bommareddy et al. (US Patent 6,772,226)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEWANDA SAMUEL whose telephone number is (571)270-1213. The examiner can normally be reached on Monday- Thursday 8:30-5:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q. Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ricky Ngo/
Supervisory Patent Examiner, Art
Unit 2416

/DeWanda Samuel/
Examiner, Art Unit 2416
10/1/2009